



2013 CITY OF GOODYEAR

CANDIDATE BASIC ELECTION INFORMATION HANDBOOK

**City Clerk's Office
City of Goodyear
190 N. Litchfield Rd. Goodyear, AZ 85338**

**Lynn Mulhall, MMC
City Clerk
623.882.7826**

**Maureen Scott, CMC
Deputy City Clerk
623.882.7828**



Introduction

The City of Goodyear Election Handbook provides basic election information to persons interested in running for City Council. The next City of Goodyear Primary Election will be held on March 12, 2013, with the election of three Councilmember's and a Mayor to four-year terms on the ballot. The Mayor and Councilmember's are elected at-large, on a nonpartisan basis. To be elected at the Primary, a candidate must receive a majority of the votes cast.

The City Clerk's Office provides general information to assist all candidates. Individual candidates, however, are ultimately responsible for compliance with election laws.

Every effort will be made to provide you with materials that are current. However, State statutes are subject to constant change and interpretation, and neither the City Clerk nor the City Attorney is able to provide legal advice on election questions to individual candidates. Given the complexity of election laws, particularly campaign finance laws, and the importance of timely compliance, candidates are strongly encouraged to seek the assistance of an attorney or other professionals with knowledge of election laws from the beginning of their involvement in the campaign process.

The City of Goodyear appreciates your interest in our election process and welcomes suggestions regarding additional information that would be of assistance to you. Please contact the Goodyear City Clerk's Office if you have questions.

Sincerely,

Lynn Mulhall, MMC
City Clerk
City of Goodyear
190 N. Litchfield Rd.
Goodyear, AZ 85338
623-882-7826
lynn.mulhall@goodyearaz.gov



General information

The Mayor shall be elected for a term of four years but shall not serve more than two (2) consecutive four-year terms. This shall not preclude a person from completing the unexpired remainder of a term of their predecessor. There shall be no limit of non-consecutive terms. (Goodyear City Charter, II.5.A.)

Council members serving on the effective date of this Charter shall continue in office until the end of their terms. In the first elections provided in Section 3 of this Article, three (3) Council members, each of whom shall be elected, qualified, and serve terms of four (4) years according to the provisions of this Charter. At the succeeding biennial municipal elections, the three (3) Council members to be elected shall be elected, qualified, and serve terms of four (4) years according to the provisions of this Charter. (Goodyear City Charter, II.6.A.)

No person shall be eligible to serve in the office of Council member for more than three (3) consecutive terms, but there shall be no limit on the number of non-consecutive terms. (Goodyear City Charter, II.6.B.)

The Council shall designate one of its members as Vice-Mayor, who shall serve in such capacity at the pleasure of the Council. The Vice-Mayor shall perform the duties of the Mayor during his/her absence or temporary disability subject to the provisions of Section 15(A) of this Article. (Goodyear City Charter, II.10.)

The Mayor receives a monthly salary of \$1,916.67, the Vice Mayor \$1,047.67 monthly and each Council member \$766.67 monthly. (Per Ordinance 06-1036).

At the primary election, any candidate who shall receive a majority of all the votes cast at such election shall be declared elected to the office for which he is a candidate, and no further election shall be held as to said candidate. If more candidates receive a majority vote than vacancies to be filled, those receiving the highest number of votes shall be declared elected, equal to the number of vacancies. (Goodyear City Charter, IX.6)

If at any Primary election there be any office or offices to which no candidate therefore was elected, then, said election shall be considered to be a Primary election for the nomination of candidates for such office or offices, and a second or General election shall be held to vote for candidates to fill such office or offices.

The candidates, not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, and who received the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; provided, that if there be any person who under the provisions of this section, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefore, then all such persons receiving said equal number of votes shall likewise become candidates for such office. (Goodyear City Charter, IX.7)

QUALIFIED ELECTOR

- A. A qualified elector shall be at least 18 years of age and properly registered to vote. (ARS §16-121.01) or
- B. A qualified elector must reside within the corporate limits of the City of Goodyear, and is registered to vote. (A.R.S. § 9-922).

QUALIFICATIONS TO REGISTER (ARS § 16-101)

(Must possess all of the following qualifications.)

- A. Every resident of the state is qualified to register to vote if he/she:
 - 1. Is a citizen of the United States
 - 2. Will be eighteen years of age or more on or before the date of the next regular general election, following registration.
 - 3. Will have been a resident of the state for twenty-nine days prior to the election in which voting is desired. (ARS § 16-126-A)
 - 4. Is able to write his/her name or make his/her mark, unless prevented from doing so doing by physical disability.
 - 5. Has not been convicted of treason or a felony, unless restored to civil rights.
 - 6. Has not been adjudicated an incapacitated person as defined in section ARS §14-5101 – any person who is impaired by reason of mental illness, mental deficiency, mental disorder, physical illness or disability, chronic use of drugs, chronic intoxication or other cause, except minority, to the extent that he/she lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his/her person.
- B. For purpose of this title, “resident” means an individual who has actual physical presence in this state, or for purposes of a political subdivision combined with

intent to remain. A temporary absence does not result in a loss of residence if the individual has intent to return following his absence. An individual has only one residence for purposes of this title.

QUALIFICATIONS FOR MAYOR – COUNCILMEMBER

The Mayor and Council members shall be qualified electors of the City and shall hold no other elected public office, nor any incompatible appointed public office, and shall have resided in the City for not less than two (2) years preceding the date of such election or appointment. If the Mayor or a Council member shall cease to possess any of these qualifications or should any of the conditions set forth in Section 15(C) of the City Charter exist, the office shall immediately become vacant. City employees are not eligible to stand for election or serve as Mayor or as members of the City Council.

No person shall be eligible for the office of Mayor who shall not have attained the age of 25 years and no person shall be eligible for the Council who shall not have attained the age of 21 years. (Goodyear City Charter Article II.4)

Incumbents eligible to run in the March 2013 Primary: (Goodyear City Charter, Article II., Section 5, 6)

Mayor: Georgia Lord

Councilmembers: Joe Pizzillo
Wally Campbell
Gary Gelzer



Candidate Packets

In order to provide the most up to date forms for a candidate, packets will be available from the City Clerk's Office after August 2012. Please call to schedule an appointment to review the Candidate Packet. Packets are available at this time, but forms are subject to change through July 2012.

Each candidate packet contains the required forms for filing nomination petitions, a Political Committee Statement of Organization form, a \$500 Threshold Exemption Statement form, a copy of campaign finance laws and related forms, and a copy of the City Charter.

NOTE: All candidates must file either a Political Committee Statement of Organization or a \$500 Threshold Exemption Statement *BEFORE* circulating petitions, receiving or expending money, or distributing campaign literature (ARS § 16-903).

A political committee can be a "committee" of one person, in addition to a candidate. Committee members include any family member, who intends to assist the candidate.

Filing Deadline

To become an official candidate for the office of Councilmember in the 2013 Primary Election, the following forms must be filed with the City Clerk no sooner than 8:00 a.m., Tuesday, November 13, 2012, and no later than 5:00 p.m., Wednesday, December 12, 2012 (ARS § 16-311):

- Nomination Petitions containing at least 461 but not more than 922 valid signatures (ARS § 16-322)
- Nomination Paper/Affidavit of Qualification/Campaign Finance Laws Statement
- Public Officers Financial Disclosure Statement

Candidate Checklist

The Checklist identifies the documents and forms that must be properly executed and filed with the City Clerk's Office by the filing deadline (5:00 p.m., Wednesday, December 12, 2012) to become a candidate and have your name printed on the official ballot.

A completed candidate's Financial Disclosure Statement must be filed at the time nomination petitions and papers are filed with the City Clerk (SRC 2-77; ARS § 16-311).

Nomination petitions (Nonpartisan-not representing a political party)

The candidate packet contains one sample nonpartisan nomination petition. Additional blank petitions may be obtained by photocopying the sample petition, by contacting the City Clerk's office during regular business hours.

The earliest date petitions may be filed is 8:00 a.m., Tuesday, November 13, 2012. The deadline for filing petitions and nominating papers is **5:00 p.m., Wednesday, December 12 2012.**

Percentage of Signatures Required (ARS § 16-322)

The percentage of valid signatures required for nomination petitions must be at least five percent (5%) and not more than ten percent (10%) of the total votes cast for Mayor in the last preceding election at which a Mayor was elected. The total votes cast for Mayor at the March 08, 2011 Primary Election was 9,222. The required number of valid signatures for nomination petitions for the 2013 Primary Election is at least 461 (5%) and not more than 922 (10%).

A qualified elector (registered Goodyear voter) may sign one nomination petition for each seat or office to be filled. In 2013, three Council seats and one Mayor seat are to be filled; therefore, an elector may sign up to three nomination petitions for Council and one nomination petition for Mayor.

Legal Sufficiency of Nomination Petitions

It is the duty of the courts and not the City Clerk to determine the legal sufficiency of nomination petitions. The Clerk need only determine that the nomination petitions are substantially in regular form and contain the required number of signatures. The Clerk has neither the right nor the duty to determine whether signers of the nominating petitions are qualified electors (*Sims Printing Co. v. Frohmiller*; *Hunt v. Superior Court in and for Navajo County*).

Petition Circulators (ARS § 16-321)

A petition circulator must be qualified to register to vote in the State of Arizona. A candidate may circulate his or her own petition. Only one person may circulate a petition sheet, and the same person who circulated the sheet must sign the certificate on the back of the petition.

**NOMINATION PAPER / AFFIDAVIT OF QUALIFICATION / CAMPAIGN
FINANCE LAWS STATEMENT (ARS § 16-311)**

The Nomination Paper provides written notification to the City Clerk of an individual's intent to become a candidate for office. The following information is required on the Nomination Paper:

1. Name of the candidate
2. Actual place of residence. If you have a post office address, please include that address in-addition to your actual place of residence.
3. The office for which the candidate is offering candidacy.
4. The exact manner in which a candidate desires to have his/her name printed on the official ballot. This manner is limited to the candidate's surname and given name or names, an abbreviated version of such names, or appropriate initials. Nicknames are permissible, but in no event may nicknames, abbreviated versions or initials of given names suggest reference to professional, fraternal, religious or military titles. Candidate's abbreviated names or nicknames may be printed within quotation marks. The candidate's surname must be printed first, followed by the given name or names.
5. Date of the 2013 Election.
6. An affidavit containing sufficient information to indicate that, at the time of the election, the candidate will be qualified to hold the office being sought.
7. Candidate's acknowledgment of having read all applicable laws relating to campaign finance and reporting.

A Nomination Paper must be filed at the time the candidate's nomination petitions are filed. There is a statement on the bottom of the form indicating: "I have read all applicable laws relating to campaign financing and reporting." The material (ARS Title 16, Chapter 6) referred to in this statement is included in the Candidate Packet and is required reading before petitions and nominating papers are filed.



Campaign Finance

Candidates for City Council must comply with all state campaign finance laws (*ARS Title 16, Chapter 6*). Campaign finance laws are specific and detailed. They establish, among other things, when a candidate is required to form a political committee, how a candidate's committee must be constituted, contribution limits, when campaign finance reports are required and their content. The importance of strict compliance with campaign finance laws cannot be overstated. Timely, accurate compliance with campaign laws is essential to avoid monetary penalties, possible criminal violations and other negative consequences. Failure to comply with campaign finance laws may be the subject of enforcement actions, as well as civil and criminal penalties.

CAMPAIGN FINANCE LAWS, FORMS AND REPORTS

The Candidate Packet contains:

1. *Title 16, Chapter 6, Campaign Contributions and Expenses*;
2. A copy of the 2011 - 2012 Election Cycle Campaign Contribution Limits; and
3. Copies of required campaign finance forms, along with an instruction manual for completing the forms. Forms are also available from the City Clerk.

To ensure compliance with all State campaign finance laws, candidates are strongly encouraged to seek the assistance of an attorney and/or other professionals with knowledge of election laws from the beginning of their involvement in the campaign process.

Political Committee Statement of Organization

Each political committee shall have a chairman and treasurer. The position of chairman and treasurer of a single political committee may not be held by the same individual, except that a candidate may be chairman and treasurer of his own campaign committee. (ARS § 16-902)

Candidates who anticipate receiving contributions or making expenditures of more than \$500 in connection with the 2013 City of Goodyear municipal elections must designate, in writing, a political committee to serve as the candidate's campaign committee by filing a Statement of Organization with the City Clerk (filing officer). The Statement of Organization must be filed **before** the candidate, or candidate's committee, accepts contributions, makes expenditures, distributes literature, **or circulates petitions**.

A candidate may have only one campaign committee designated for each election. Candidates are required to notify the City Clerk in writing if they want to designate a political committee from a prior City election as their committee for the 2013 Primary Election.

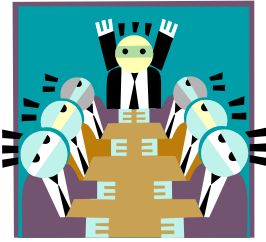
Political committees are required to file an amended statement of organization within five days of a change of information contained on the form.

\$500 Threshold Exemption Statement (ARS § 16-902.01)

If a political committee, including a candidate's committee, does not anticipate spending or collecting \$500 during the election period, a \$500 Threshold Exemption Statement may be filed in lieu of a Statement of Organization. Upon filing an exemption statement, the committee will not be required to file any additional campaign finance reports. However, if the committee's expenditures or contributions exceed \$500, the committee must file a Statement of Organization within five business days of exceeding the \$500 limit and will be required to file all required campaign finance reports with the City Clerk.

Campaign Finance Reports (ARS § 16-913)

There are a number of campaign finance reports that **must** be filed with the City Clerk throughout the election period. It is the responsibility of the candidate and/or political committee to ensure all deadlines are met. Only one set of Political Committee Campaign Finance Report forms is included in the Candidate Packet. Additional copies are available from the City Clerk's Office.



COUNCIL MEETINGS

Council Meeting Dates:

- Regular Meetings:
 - Call to Order is at 6:00 PM on the second and last Monday night of every month.
 - Holiday's: When a holiday falls on a Monday and the City does not observe the holiday, regularly scheduled Council meetings will be held on an alternate date. Mayor and Councilmembers rotate turns leading the Pledge and Invocation
- Special Meetings:
 - Can be scheduled on as needed basis
 - Mayor and Councilmembers rotate turns leading the Pledge and Invocation
- Executive Session:
 - There are only 7 reasons an Executive Session may be called. Executive Sessions are not open to the public.
 - Councilmembers may not teleconference in an Executive Session.
 - All written material is confidential and will be collected by the City Attorney at the end of the meeting.
- Worksessions:
 - Usually scheduled on the third Monday night of the month at 5:00 PM. Occasionally scheduled at 5:00 PM, before a Council meeting.
- Council Advance:
 - Based on need, can occur several times.

Attendance: Per City of Goodyear City Charter, Section 14, Absence to Terminate Membership, "If any Council member shall be absent from more than three consecutive regular meetings, or a total of four regular meetings in any calendar year, without the consent of the Council duly recorded in the journal, he shall thereupon cease to hold office".

CITY COUNCIL COMMUNICATION GUIDELINES

The purpose of these guidelines is to enhance communication between the City Council, City staff, and the citizens of Goodyear. Effective communication is an essential component of organizational success whether it is interpersonal, intergroup, intragroup, organizational, or external. It is the essence of teamwork.

The following guidelines adopted by the Goodyear City Council in September 2005, replace the previous Rules of Engagement.

COMMUNICATIONS AMONG COUNCIL MEMBERS

Some members of the City Council may be balancing outside jobs with their duties as elected officials. Since their time is limited, it is imperative that staff prepare excellent summary information on each topic to help the Mayor and Council make the best possible decisions.

Council and Staff must work as a team, always focusing on the facts of an issue or situation. The City Manager should spend time consulting with the Mayor and council members to determine the effectiveness of communications, constantly looking for ways to improve it.

- Council members should feel comfortable contacting one another outside of meetings to discuss issues.
- Council members should exercise their ability to dialogue with one another during a meeting to discuss an issue.
- Council members should strive to resolve issues and answer concerns of all Council members prior to the vote.
- Council members should place their questions in context. They should provide the reason they are asking a question.
- Council members and staff should provide full explanation of major expenditures during meetings.
- During the discussion of an item in a meeting, Council members may explain their reasoning for their vote, if they intend on voting “no”.
- If necessary, Council members may take advantage of the opportunity to take a recess prior to voting on an issue to gather information necessary for decision-making from the City Manager, staff or a developer.
- Council may explain the need for a recess to the citizens in attendance at the Council meetings.
- In formal City Council meetings Council should be referred to as Mayor, Vice Mayor or Councilmember. Professional titles such as Doctor, Mr., Mrs., Ms. should not be used.
- Council need to process thoughts internally. Do not think out loud and ramble.

COMMUNICATIONS BETWEEN COUNCIL AND CITY STAFF

- Assure staff's continued customer service commitment and practice. Revisit customer service within the City to make sure staff is on track.
- Look for ways to improve staff's ability to provide customer service.
- Continue to receive quality input from staff.
- Eliminate surprises for citizens, Council and staff.
- Predict whether an issue should be controversial. Staff should brief the Council on potential controversial issues as early as possible.
- Create a feedback loop between Council and staff. Council would like staff to provide project timelines and project status reports on major reports.
- Critique situations that didn't go well with an eye on improving lessons learned.
- Make sure that staff questions Council, if they don't understand something and clarify if necessary.
- Make sure that staff doesn't over-analyze Council comments.
- When staff meets with Mayor, Vice Mayor or a Councilmember and an outside entity Council should be referred to by their Council title.

COUNCIL COMMUNICATIONS WITH CITIZENS

- Establish two-way communication channels between citizens and the City. These communications channels should serve us well when controversial issues arise.
- Eliminate surprises for both Council and citizens.
- Conduct traveling Council meetings when appropriate.
- Conduct citizen surveys and focus groups on an ongoing basis.
- Conduct stakeholder workshops on appropriate issues.
- Consider meetings with members of neighborhoods.
- Involve citizens in the development of a 5-year plan.
- Involve citizens in creating the future Goodyear.
- Solicit citizen input on priorities of the City.
- Consider a Citizen Involvement Ordinance.
- Consider making written communications such as legal notices easier to read.
- Consider ways to incorporate new residents into the fabric of the community.
- Council members should extend personal invitations to citizens to get involved in city activities, committees, boards, and commissions.
- Consider a local cable access channel.
- Resolve to have more direct communications with gated communities.
- Establish relationships with local Home Owners' Associations (HOAs).
 - Publish articles in HOA newsletters.
 - Seek input and involvement on City issues from HOAs.
 - Consider meetings between HOAs and Council to discuss policy impacts on community.

- Invite members of HOAs to serve on the City's Boards and Commissions.
- Send Council representatives to speak at HOA annual meetings.
- Distribute City maps and information at annual HOA meetings.
- Consider providing grants to HOAs to address community concerns.
- Enhance City publications.
 - Distribute a New Citizen Orientation Information to new residents.
 - Solicit citizen involvement by advertising in the citizen newsletter.
- Establish a Web site for the City that should allow the City to place documents online and receive input from citizens.
- Provide electronic communications channel for citizens via the Internet.
- Actively seek ways to recognize the contributions of volunteers to the City.



City Of Goodyear Council Member Job Description

DEFINITION

The City Council is the policymaking body for the City of Goodyear. Administrative functions are left to the City Manager and his staff. Council members exercise their authority only when acting in concert with other Council members at publicly noticed meetings. Individual Council members have no authority to act independently or to give direction to City employees.

POSITION DESCRIPTION

Enact appropriate legislation and do and perform any and all other acts which may be necessary and proper to carry out these powers or any other of the provisions of the City of Goodyear Charter and City Code.

DUTIES

Council members will assume the duties of office and attend all meetings of the council unless excused for good cause. Council meetings are held the second and fourth Monday of every month. Worksessions are held the third Monday of the month and more often as needed. Worksessions often occur on days other than Monday and usually at 5:00 p.m. Council Meetings currently start at 6:00 p.m.

The principal job of the Council is to provide a forum for the discussion of community issues, to build consensus, and adopt policies. It is legislative in nature, and is accomplished primarily through ordinances, resolutions and motions that define community policies and standards to guide program development and implementation.

Council members should define their philosophy and purpose of government, which should be specific enough for commitment while being general enough to allow for the flexibility needed to consider all alternative courses of action.

Council members have the responsibility of representing the citizens, listening to both the requests and grievances of local citizens and responding to the needs of the residents of the community within the realm of local decision making powers.

Council members should become educated to City of Goodyear government and policies, procedures and practices.

Council members are encouraged to read Council agenda packet material and be prepared to make decisions to benefit the City at large.

Council members are encouraged to contact City Administrators with questions and comments in regard to agenda packet prior to council meeting.

Council members should ensure that adequate physical development in such areas as the water and sewer system, the transportation system and the solid waste disposal system keep pace with the growth of the community.

Council members should familiarize themselves with the Open Meeting Law to preserve the democratic quality of local government proceedings by not making decisions or discussing the business of Council except in a meeting which is open to the public.

Council members should become familiar with expenditure limitations, home rule, permanent base adjustment, capital project accumulation fund, one-time override, uniform reporting system and the property tax system to use as tools to establish fiscal policies and a financial plan to set the maximum limits on the amount of money that can be spent as set forth in the published budget.

Council members are expected to participate in other local interests. i.e. Chamber of Commerce, Maricopa Association of Governments, Fine Arts Council, Boys and Girls Club, Arizona League of Cities and Towns, water and environmental meetings, and serve on one or more committees.

Council members are expected to read: *“So you got elected... so NOW what?” “Roberts Rules of Order”*; and *“You as a PUBLIC OFFICIAL”*.

Council members will attend an annual Council Advance to review program achievements and results in fulfilling Council adopted mission, values, goals and policies. This review will aid Council to determine future policies and programs.

New Council members should attend League of Arizona Cities and Towns Newly Elected Officials University during the first six (6) months in office after election.